

smith & hoppen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

2FW

June 28, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Applicant: Eric A. Kaltenbacher**  
**Serial No.: 10/815,489**  
**Filed: 04/01/2004**  
**For: 3-D Imaging System**  
**Our Reference No.: 1372.327.PRWOUS**

**Examiner: Anad Shashikant Rao**  
**Art Unit: 2613**  
**Confirmation No.: 8503**

Dear Sir:

Enclosed please find the following:

1. Revocation of Power of Attorney by Assignee – (2 pages);
2. Copy of recorded assignment – (6 pages);
3. Copy of Notice of Recordation – (2 pages); and
4. Self-addressed and postage pre-paid post card to serve as a receipt for items 1-3.

Please amend the attorney docket number to *1372.144.PRC*.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hoppen  
*anton.hopen@baypatents.com*

AJH/cm  
Encl.

**CERTIFICATE OF MAILING**  
**(37 C.F.R. 1.8)**

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2005.

Date: June 28, 2005

Charlene Morgan

Practitioner's Docket No. 1372.144.PRC

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Eric A Kaltenbacher  
Serial No.: 10/815,489  
Filing Date: 04/01/2004  
Title: 3-D Imaging System

Art Unit: 2613  
Examiner: Anad Shashikant Rao  
Confirmation No.: 8503

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**POWER OF ATTORNEY BY ASSIGNEE**  
**(REVOCATION OF PRIOR POWERS)**  
**37 C.F.R. § 3.71(b)(1)**

As an authorized representative to act on behalf of the assignee for the above identified patent,

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

I hereby revoke all powers of attorney previously given and

**NEW POWER OF ATTORNEY**

I hereby appoint the following practitioners to prosecute and transact all business in the Patent and Trademark Office under:

**CUSTOMER NO. 21,901**

---

**SEND CORRESPONDENCE TO:**

Smith & Hopen, P.A.  
15950 Bay Vista Drive, Suite 220  
Clearwater, FL 33760  
Customer No.: 21,901

---

**DIRECT TELEPHONE/EMAIL TO:**

Anton J. Hopen  
anton.hopen@smithhopen.com  
(727) 507-8558

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**CERTIFICATE UNDER 37 CFR 3.73(b)**

The University of South Florida (herein "USF") certifies that they are the owner of the entire right, title, and interest in the patent/application identified above by virtue of an assignment to USF dated August 25, 2005 by assignors Eric A. Kaltenbacher, James T. Patten, Kendall L. Carder, David K. Costello and John R. Kloske recorded in the United States Patent and Trademark Office at Reel/Frame 015136/0100 on September 13, 2004, a copy of which is attached hereto.

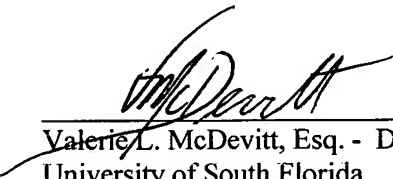
The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Date:

6/21/05

  
\_\_\_\_\_  
Valerie L. McDevitt, Esq. - Director  
University of South Florida  
Division of Patents & Licensing

## ASSIGNMENT

WHEREAS, we, **Eric A. Kaltenbacher** a citizen of the United States of America, residing at 1039 86<sup>th</sup> Avenue North, St. Petersburg, FL 33702; **James T. Patten**, a citizen of the United States of America, residing at 470 South Lime Avenue, Sarasota, FL 34237; **Kendall L. Carder**, a citizen of the United States of America, residing at 1398 52<sup>nd</sup> Avenue NE, St. Petersburg, FL 33703; **David K. Costello**, a citizen of the United States of America, residing at 1271 63<sup>rd</sup> Terrace South, St. Petersburg, FL 33701; and **John R. Kloske**, a citizen of the United States of America, residing at 145 20<sup>th</sup> Street NE, St. Petersburg, FL 33704; have invented certain inventions and improvements disclosed in a Non-Provisional Patent Application entitled "3-D Imaging System" that was filed in the United States Patent and Trademark Office on April 1, 2004, and assigned U.S. Non-Provisional Patent Application Serial Number 10/815,489.

WHEREAS, the **University of South Florida**, a corporation of the State of Florida having a principal place of business at 4202 East Fowler Avenue, FAO 126, Tampa, Florida 33620-7900, is desirous of acquiring an interest in the same;

NOW, THEREFORE, for and in consideration of Five Dollars (\$5.00) and other good and valuable consideration, the receipt and sufficiency of which we hereby acknowledge, we, **Eric T. Kaltenbacher, James T. Patten, Kendall L. Carder, David K. Costello, and John R. Kloske**, by these presents do sell, assign and transfer unto the **University of South Florida**, the full, exclusive and entire right, title, and interest in and to said application, in and to any divisions, continuations, and reissues thereof, and in and to all inventions and improvements disclosed and described in said application, preparatory to obtaining Letters Patent of the United States therefor; and we hereby request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said application, or from a division, continuation, or reissue thereof, to the **University of South Florida**, as the assignee, for its interest and for the sole use and benefit of the **University of South Florida** and its assigns and legal representatives;

For the same consideration, we, by these presents do sell, assign, and transfer to the University of South Florida, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations, said foreign applications to be filed and issued in the name of the University of South Florida, or its designee insofar as permitted by applicable law.

AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid the University of South Florida, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

  
Eric A. Kaltenbacher

Date: 8/25/04

STATE OF GEORGIA )

COUNTY OF )

) ss.

On this \_\_\_\_ day of \_\_\_\_\_, in the year 2004, before me personally came Eric A. Kaltenbacher, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same

\_\_\_\_\_  
Notary Public.  
[SEAL]



U.S. Patent Application Serial No. 10/815,489  
 Attorney Docket No. 20657-0039  
 ASSIGNMENT  
 Page 2 of 2

For the same consideration, we, by these presents do sell, assign, and transfer to the University of South Florida, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of the University of South Florida, or its designee insofar as permitted by applicable law.

AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid the University of South Florida, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

James T. Patten  
 James T. Patten  
 Date: 8/16/04

FLORIDA  
 STATE OF GEORGIA )  
 COUNTY OF PINELAS ) ss.

On this 16<sup>TH</sup> day of August, in the year 2004, before me personally came James T. Patten, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same

Emily A. Green  
 Notary Public  
 [SEAL]



For the same consideration, we, by these presents do sell, assign, and transfer to the **University of South Florida**, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of the University of South Florida, or its designee insofar as permitted by applicable law.

AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid the **University of South Florida**, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.



KENDALL L. CARDER

Date:

7/23/04

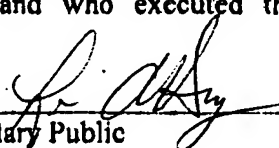
Florida  
STATE OF GEORGIA

COUNTY OF Pinellas

)  
) ss.  
)

On this 23 day of July, in the year 2004, before me personally came **KENDALL L. CARDER** to me known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same

✓ personally known

  
Notary Public  
[SEAL.]




Lois A. Bryce  
Commission #DD300212  
Expires: Mar 15, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.

U.S. Patent Application Serial No. 10/815,489  
Attorney Docket No. 20657-0039  
ASSIGNMENT  
Page 2 of 2

For the same consideration, we, by these presents do sell, assign, and transfer to the University of South Florida, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of the University of South Florida, or its designee insofar as permitted by applicable law.

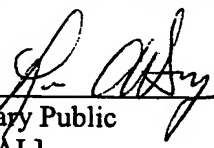
AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid the University of South Florida, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

  
\_\_\_\_\_  
David K. Costello

Date: 7/23/04

STATE OF <sup>Florida</sup> ~~GEORGIA~~ )  
COUNTY OF Pinellas ) ss.

On this 23 day of July, in the year 2004, before me personally came David K. Costello, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same

  
\_\_\_\_\_  
Notary Public  
[SEAL]

✓ Presented Identification -  
FLA # C234-171-50-245-0



Lois A. Bryce  
Commission #DD300212  
Expires: Mar 15, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.



For the same consideration, we, by these presents do sell, assign, and transfer to the University of South Florida, the full, exclusive, and entire right, title and interest in and to any foreign application or applications corresponding to said application, in whole or in part, in countries other than the United States, in and to any Letters Patent and similar protective rights granted on said foreign applications, and in and to the right to claim any applicable priority rights arising from or required for said foreign applications under the terms of any applicable conventions, treaties, statutes, or regulations; said foreign applications to be filed and issued in the name of the University of South Florida, or its designee insofar as permitted by applicable law.

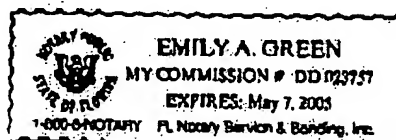
AND, for the same consideration, we agree to sign all lawful papers, execute all division, continuing, reissue and other applications, make all assignments and rightful oaths, and generally do everything possible to aid the University of South Florida, its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

John R. Kloske  
John R. Kloske  
Date: 8/16/04

FLORIDA  
STATE OF FLORIDA )  
COUNTY OF PINELLAS ) ss.

On this 16<sup>th</sup> day of AUGUST, in the year 2004, before me personally came John R. Kloske, to me known to be the individual described in and who executed the foregoing instrument and acknowledged that she executed the same

Emily A. Green  
Notary Public  
[SEAL]





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



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PTAS

SUTHERLAND ASBILL & BRENNAN LLP  
WILLIAM L. WARREN  
999 PEACHTREE STREET, N.E.  
ATLANTA, GA 30309-3996

Sutherland, Asbill & Brennan LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/13/2004

REEL/FRAME: 015136/0100  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KALTENBACHER, ERIC A.

DOC DATE: 08/25/2004

ASSIGNOR:

PATTEN, JAMES T.

DOC DATE: 08/16/2004

ASSIGNOR:

CARDER, KENDALL L.

DOC DATE: 07/23/2004

ASSIGNOR:

COSTELLO, DAVID K.

DOC DATE: 07/23/2004

ASSIGNOR:

KLOSKE, JOHN R.

DOC DATE: 08/16/2004

ASSIGNEE:

UNIVERSITY OF SOUTH FLORIDA  
4202 EAST FOWLER AVENUE, FAO 126  
TAMPA, FLORIDA 33620-7900

SERIAL NUMBER: 10815489  
PATENT NUMBER:  
TITLE: 3-D IMAGING SYSTEM

FILING DATE: 04/01/2004  
ISSUE DATE:

ANTIONE ROYALL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS